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COMMITTEE AGAINST TORTURE

Sixth session

SUMMARY RECORD OF THE 87th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 3 May 1991, at 10 a.m.

Chairman: Mr. VOYAME

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The meeting was called to order at 10.05 a.m.

ADOPTION OF THE ANNUAL REPORT OF THE COMMITTEE ON ITS ACTIVITIES (agenda item 10) (continued) (CAT/C(VI)/CRP.1/Add.12)

CAT/C(VI)/CRP.1/Add.12 (Chapter IV. Consideration of reports submitted by States parties under article 19 of the Convention: Algeria)

1. Mr. DIPANDA MOUELLE proposed that, in order to reflect accurately the question he had put to the members of the Algerian delegation, the second clause of the penultimate sentence of paragraph 3 should be amended to read: "whether the judge's obligation to conciliate between the parties to an administrative law dispute might not lead to an arbitrary result in the case of an individual who was in disagreement with the public authorities".

2. It was so decided.

3. Paragraphs 1-19 were adopted.

4. Mr. PERLAS said that, in the last sentence of paragraph 20, it would be advisable to specify that the official who committed an offence was also liable to prosecution as the perpetrator of the offence so as to avoid any suggestion that only the superior officer who gave the order to commit the unlawful act was punishable.

5. The CHAIRMAN suggested that, to meet Mr. Perlas' concern, the following words should be added at the end of paragraph 20: "such subordinate being himself liable to prosecution as the perpetrator of the act".

6. It was so decided.

7. Paragraphs 20-27 were adopted.

8. Ms. CHANET proposed that the word "democracy", in the fifth line of paragraph 28, should be replaced by "democratization". While it was right and proper to welcome the steps taken by the Algerian Government to allow Algeria to move towards democracy, that objective, it should not be forgotten, was still far from attainment.

9. It was so decided.

10. Document CAT/C(VI)/CRP.1/Add.12, as amended, was adopted.

11. The CHAIRMAN invited the Committee to adopt the draft annual report as a whole.

12. The draft annual report of the Committee on its activities was adopted unanimously.

CLOSURE OF THE SESSION

13. Following an exchange of courtesies, the CHAIRMAN declared the session closed.

The meeting rose at 10.25 a.m.